

THE WEATHER
Unsettled Sunday and probably light thunder showers; Monday fair, cooler in north.

The News and Observer

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LINNEY CONTINUES IN LINNEY FIGHT FOR FEDERAL JOB

Senator Ernst Expected To Call Committee Meeting On His Return Monday

BUTLER ORACULAR IN TALK OVER SITUATION

Controversy Over Admiral Sims Arouses Much Interest In Washington; Congressman Pou and Stedman Make Strong Addresses Against Porter Peace Resolution

The News and Observer Bureau, 603 District National Bank Bldg. By EDWARD E. BRITTON. (By Special Leased Wire.)

Washington, June 11.—The week ends with the Linney case still up in the air, the anti-Linneyites and the Linneyites warring word for word. Senator Ernst, of Kentucky, chairman of the sub-committee of the judiciary committee, as to when the next attempt at a hearing will be had. Senator Ernst is still in Kentucky, where he went with the body of the late A. T. Holt, Republican National committeeman from Kentucky, whose sudden death here on the eve of the date set for the Frank Linney hearing on the opposition of negroes to his confirmation as district attorney for western North Carolina. At Senator Ernst's office it is stated that he is not likely to return to Washington until Monday morning. It is then to be expected that early next week he will set a date for the hearing.

Former Senator Marion Butler today broke more than a week's silence in the Linney matter. All he would say, however, was: "Linney will be confirmed." Asked the further question about the talk of there being a harmony program arranged for North Carolina Republicans in place of the "Hog combine" state, he gave an equally laconic reply: "Barkis is willing." Which is as much as to say that if the olive branch is waved that he is ready to get hold of it with the State organization.

But as I was about to leave he said: "Here is some real news." And I stopped to get it. He gave me two telegrams just received by him from Clinton. One was from T. A. DeLaney, National Grange organizer in North Carolina; the other from Capt. Fitzhugh Whitfield, publicity officer of the American Legion post asking him to get Congressman John C. Ketchum, of Michigan, to address a big 4th of July celebration in Clinton, at it to be Grangers and farmers generally of Sampson and adjoining counties. Immediately he had gotten in touch with the Michigan Congressman and secured his acceptance, writing that both the Congressman and Mrs. Ketchum would attend. It is understood that the National Grange, now very strong in New England and the Northwest, has started to organize in every Southern State.

Much Speculation About Sims. Washington's principal topic of conversation for the latter part of the week has been the events growing out of the remarks of Admiral Sims in London, when he named American Irish sympathizers as "jack asses" and made other statements concerning the Irish question which brought action by Secretary of the Navy Denby in calling for a hearing on the subject. Senator McMillin, of Illinois, protested to Secretary Denby about the Sims' declarations, and Senator Harrison, declaring the remarks were outrageous, so grave and important coming from a high naval officer, succeeded in securing a Senate resolution for an investigation. Admiral Sims in London is reported as standing pat on his utterances, and today came a climax in the cabled curt order of Secretary Denby to Sims revoking his leave and ordering his immediate return and report to the Secretary of the Navy. The past utterances and conduct of Admiral Sims are being scrutinized, and the matter of past presidential reprimands are being gone over.

In the Senate, the matter has been given much attention, following the designation by Senator Pat Harrison, of Mississippi, of Admiral Sims and Ambassador George Harvey as the "Gold Dust Twins," whose speeches were "an outrage to red blooded Americans." In the House, Representative Gallivan's resolution declaring Admiral Sims "an undesirable alien" and forbidding his readmittance into this country is in the hands of the committee on immigration and naturalization. The Gallivan resolution is in these words: "Whereas, one William Sowden Sims a foreign born citizen of the United States, but now connected, unhappily and unfortunately with the naval establishment of this country in a speech in London recently made a most vicious and un-American attack upon eighteen million citizens of this great republic in an apparent attempt to arouse the hatred of the English populace against America, and

Rowan Jury Finds Dr. Peacock Not Guilty of Murder Charge

Thomasville Physician Declared To Have Been Insane At Time of Brutal Killing of Chief of Police Taylor; Judge Finley To Pass On Sanity Now At Hearing In Lexington On June 28.

Lexington, June 11.—At ten o'clock tonight the Rowan county jury trying Dr. J. W. Peacock, charged with the murder of Chief of Police J. E. Taylor, at Thomasville April 16, brought in a verdict of NOT GUILTY.

The jury accepted the testimony of alienists including Dr. Albert Anderson, superintendent of the State hospital in Raleigh and Dr. Isaac Morganston, and other physicians who appeared in the case that the physician on trial was insane when he did the brutal deed.

Judge T. B. Finley ordered Dr. Peacock placed in the custody of the Davidson county sheriff until a hearing can be held here to determine his sanity at the present time. He was returned tonight to his cell in the Davidson county jail. The date for this hearing was set for June 28th here before Judge Finley.

After the jury had been out all night on the case, they asked that the testimony of the alienists be read to them. The court stenographer was put to work this morning copying his notes but this afternoon, it was learned that the jury only wanted the testimony of Dr. Taylor. The stenographer had been copying Dr. Anderson's testimony.

At 6 o'clock the jury came into the court room and Judge Finley prepared to read the testimony when attorneys for the State asked that the testimony on cross examination also be given. This required more time and it was 9 o'clock before the jury was brought back into the court room.

It required 45 minutes to read the testimony. The jury retired at 9:45 o'clock and in 35 minutes announced it was ready to render its verdict. It was currently reported that last night the jury stood ten to two for acquittal and that one of the two came over today but that one stood out for first degree murder.

"NOT GUILTY" IS HOLDING VERDICT

Jury Brings In Its Decision After Four Hours' Deliberation

Thomas E. Holding, Jr., druggist at Wake Forest, was acquitted by a jury in federal court last night of the charge of receiving goods stolen from interstate express shipments knowing them to have been stolen. At ten o'clock, after having deliberated over the case for four hours, the jury brought in its verdict.

Besides the court officials, the defendant, his father and a few of his friends, attorneys, General E. S. Woyter and John E. Mills, of Wake Forest were among the few in the court room when Judge H. G. Connor was called from his hotel to receive the verdict. Frank Ward was foreman of the jury and announced the finding.

The verdict followed the close of two days trial of the case against young Holding. The principal evidence of the government was that of Herbert and Cecil Pearce, brothers who are under indictment for breaking into the express office at Neuse and stealing the goods which, it was alleged, Holding bought. They testified that the goods were sold to Holding and in return he gave Herbert Pearce a check for \$75.

Most of the evidence hinges about this check. Holding, admitted that he had given a check for \$75 to Herbert Pearce but maintained that it was in payment for three automobile tires which Pearce had sold him in the presence of three witnesses. Two of these witnesses, R. L. Harris and N. E. Boddingsfield, were on the stand yesterday corroborating the defendant's testimony relative to the sale.

In addition, a large number of character witnesses yesterday testified to the good character of the defendant. These included George H. Pou, superintendent State prison; W. B. Dunn, of Wake Forest; T. E. Bobbitt, Wake Forest; W. F. Dickson, Wake Forest; E. G. Birdson, Raleigh; Henry T. Hicks, Raleigh; B. F. Page, of Raleigh, and E. H. Grosson, of Wake Forest.

The evidence was concluded by two o'clock yesterday afternoon and the four hours until six were consumed with arguments by District Attorney Aydtlett and Assistant District Attorney Thompson for the government; and General Royner, Mr. Mills and James H. Pou, for the defense.

At 5:40 the jury retired and at 8 o'clock the twelve men were carried out to supper. The verdict came when those who had followed the case through were predicting that the jury would go to bed with the case.

EXPORTS AND IMPORTS CONTINUE TO FALL OFF

Washington, June 11.—Both exports and imports continued to fall off in May, but the month's trading resulted in a favorable balance of \$122,000,000 for the United States, figures made public today by the Department of Commerce.

Dr. Peacock appeared calm and collected when the jury could be seen. He announced the verdict, the Doctor embraced his wife affectionately and seemed composed. He retired with his lawyers for a brief consultation and came back into the court-room.

Peacock Outwardly Calm. Attorneys for Dr. Peacock insisted that he be sent to Morganton hospital pending the hearing on account of his alleged affliction with tuberculosis, putting forth the plea that the climate would be beneficial to him and that the climate in Raleigh would be detrimental. Judge Finley solved the problem of climate by directing that the prisoner be kept in the Davidson county jail.

Lawyers for the defendant agreed that all of the testimony touching upon the sanity of the prisoner should be placed before the court when the hearing to determine his sanity is held here. They asked that the date be postponed until later but Judge Finley refused.

Trial Began Monday. The trial began last Monday, having been postponed from the previous week in order that a special venire might be summoned from Rowan county. This was done at the request of attorneys for the State. Lawyers for the defense argued against it.

Judge Finley charged that if they found that the defendant was insane at the time the killing took place they would return a verdict of "not guilty." It was the contention of the defense that the doctor was insane at that time, and this was the single issue before the jury. They decided with the defense and rendered their verdict accordingly.

The court room was crowded to-night when the verdict was brought in as there has been intense interest in the case. There has been a marked difference of opinion among people as to the sanity of the defendant. It was the testimony of the alienists that turned the scales for the jury.

THINK THEY HAVE ARRESTED TALLEY

Man In Custody Corresponds To Description of Man Wanted in Greensboro

Greensboro, June 11.—Local police officials this afternoon received a telegram from the police authorities at Frederick, Md., stating that the description of Carl Talley, furnished by the Greensboro police this morning, tallied exactly with that of the man they are holding as Talley.

Greensboro authorities were informed this morning that a man giving his name as R. H. Smith and Fred Gilley, giving his address as Spray, N. C., had been arrested in the Maryland city, and that they believed Smith to be none other than Carl Talley, wanted here in connection with the murder of Police-man W. T. McCuiston, who was shot to death when the attempted to halt whiskey runners on the streets of the city on May 4.

The information received here stated that Smith and Gilley were arrested in what was believed to be a stolen car, and that Smith fitted the description of Carl Talley which had been scattered broadcast over the country.

Local officers will leave for the Maryland city at once to identify positively and bring Talley back here for trial, if it develops that he is actually the man held. Registration papers will also be applied for at once.

CHOIR SINGER'S DANCING CAUSES CHURCH RUPTURE

Board of Deacons To Apologize For Censure Of Baptist Pastor

Richmond, Va., June 11.—An open rupture has developed between Rev. W. A. Gunton, pastor of Woodland Heights Baptist church, and the Board of Deacons over withdrawal from the choir of that church of Miss Julia Priddy, pretty 18-year-old choir singer, who was asked to resign after participating in an informal dance at a reception tendered students of John Marshall high school by Governor and Mrs. Westmoreland Davis.

The chairman of the board of deacons, who championed the cause of the young woman, has been requested by Mr. Gunton to "relegate himself to the scrap heap of religious inactivity," which he has declined to do. The chairman opposed drafting and transmitting to Miss Priddy a letter of censure, proposed by the pastor, and was upheld by fellow members, six to two. The board will wait on Miss Priddy, express its regret for the action of those responsible for her withdrawal from the choir and invite her to resume her place in the church. Many ministers of Richmond are conducting from their pulpits a crusade against dancing.

"HOT DOG" STUFFERS AT CONEY ISLAND STRIKE

New York, June 11.—Coney Island today faced labor troubles that may cause the thousands that flock to the great playgrounds to go hungry during their visit.

KABER'S WIFE AND DAUGHTER TO FACE TRIAL FOR MURDER

Both Women Are Arraigned at Cleveland, Refused Bond and Sent To Jail

FIVE OTHER PERSONS HELD FOR COMPLICITY

Wife of Daniel F. Kaber, Alleged To Have Been Killed Two Years Ago, Threatens To Go On Hunger Strike In Jail; Hearing Set For June 28 and Veniemen Called

Cleveland, O., June 11.—A venire of sixty names to form a jury to try Mrs. Eva Catherine Kaber and her daughter, Marian McArdle, for the murder of Mrs. Kaber's husband, Daniel F. Kaber, two years ago, was issued late today after the two prisoners had been arraigned before Judge Maurice Beron this morning, pleaded not guilty to first degree murder charges, had their hearing set for June 28, refused bond taken to jail.

County Prosecutor Edward C. Stanton asked the court to set an early date for the hearing. Jail officials fear Mrs. Kaber has adopted a hunger strike, preferring death by starvation to facing a trial for the murder of her husband. She had shown repeatedly she would end her life before being brought into court for trial.

Since her arrival here from New York late last night, the accused woman and her daughter have eaten but a few spoonfuls of bread and milk, and a few under protest.

Mrs. Kaber refused to touch the tempting breakfast and luncheon served in her cell today, declaring she "would not eat."

Mrs. Kaber's refusal to eat is looked upon with concern by Sheriff Stanton because of her mental condition caused by loss of blood in her attempted suicide in the New York jail.

A man said to have introduced Mrs. Kaber to the woman arrested in Sandusky, Ohio, several days ago, a midwife, alleged to have furnished poison said to have been administered to Kaber in his food, was arrested in his home here today.

Mrs. Kabr and her daughter both identified the midwife in an examination this morning as having made a poisoner's gift for Mrs. Kaber to be fed to Kaber, and charged she also aided in procuring the assassin who murdered him, police declared. The midwife struck back at Mrs. Kaber almost before the identification was complete, charging her accuser with "wanting your husband, Dan Kaber, put out of the way."

Seven persons, five women and two men, are now in custody for complicity in the murder. They are Mrs. Kaber, indicted on two counts of first degree murder, one for poisoning and a second for stabbing her husband to death. Marian McArdle, her daughter, also under indictment for murder.

Mrs. Mary Brickel, mother of Mrs. Kaber and grandmother of Marian McArdle, indicted for murder following her confession of the part she took in the murder plot.

A midwife, arrested in Sandusky, Ohio, several days ago, who, Mrs. Kaber charged, prepared the poison portion fed Kaber and procured the assassin who were to "beat him up" but killed him instead.

A woman friend of Mrs. Kaber, alleged to have fed one dose of poison to Kaber and to have introduced Mrs. Kaber to the midwife.

"The man with the cap," so-called from Kaber's dying statement describing his murderer, held as a suspect for several days, but now regarded as probably having no part in the crime because of the failure of Mrs. Kaber or Miss Alice McArdle to identify him today.

A man arrested today under suspicion of having acted as the go-between in planning the stabbing.

UNUSUAL SENTENCES FOR JUVENILE LAW-BREAKERS

Four Youths at Spartanburg Can't Go To Movies Until They're 21

Spartanburg, S. C., June 11.—Recorder Burnett, in the city police court today, sentenced four youthful offenders to be whipped by their parents and to refrain from going to the movies until they reach the age of 21. The boys staged a robbery of a local store, posting guards and wearing masks in real bandit style. They said they got the idea from a scene they had witnessed in a moving picture show.

LATEST PHOTO OF ADMIRAL SIMS, WHO HAS BEEN RECALLED BY DENBY



Admiral Sims is shown in the above picture placing a wreath on the cenotaph in London, where lies Britain's unknown hero. His speech at the luncheon of the English Speaking Union in London a few days ago, in which he is alleged to have attacked Irish sympathizers in America, started considerable comment and official notice of his utterances was taken by Secretary Denby and both houses of Congress. The Naval Secretary first wired the Admiral, asking if he was correctly quoted in his speech, but yesterday, without waiting for a reply from Sims, ordered his leave of absence revoked and his return to America at once.

Secretary Denby Orders Sims To Return At Once

Naval Secretary Revokes Leave Without Waiting For Admiral's Reply

SIMS PLANS TO SAIL FOR U. S. WEDNESDAY

Message Will Not Expedite His Departure From British Isles, However

Washington, June 11.—Rear Admiral Sims was ordered home from London today by Secretary Denby as a result of his recent speech attacking Sinn Fein sympathizers in the United States. The secretary explained that he had received no reply from the officer in response to his message inquiring if press dispatches had quoted correctly excerpts from the speech and had decided to revoke the remainder of the Admiral's leave and order him to report here immediately.

The order, however, was not expected to expedite Admiral Sims' return from England, as he had planned to return on the liner Olympic, which sails next Wednesday and is the first available ship for passage.

No Reply From Sims. Mr. Denby's action was taken without waiting for a reply from the officer to the Secretary's cablegram asking whether he had been correctly quoted as attacking Sinn Fein sympathizers in the United States in a speech delivered in London this week. Admiral Sims had announced that he would sail for home from England on June 15. He was granted leave of absence to go abroad to receive a degree from an English University.

The Naval Secretary's cablegram, sent today to the officer, said: "Remainder your leave revoked. You will return to the United States immediately and report in person to the Secretary of the Navy. Acknowledge."

SIMS DECLINES TO MAKE ANY COMMENT ON RECALL

London, June 11.—Rear Admiral William S. Sims received the first news of his recall by Secretary of the Navy Denby from the Associated Press after attending a dinner given in his honor by the Royal Thames Yacht Club this evening.

The Admiral said that he had not yet received a cablegram to this effect from Secretary Denby, and accordingly declined to comment on the text forwarded here by the special dispatches. At present, added the Admiral, he had no intention of altering the date of his sailing, which was June 15.

E. L. DAUGHTRIDGE'S CONDITION IS CRITICAL

Rocky Mount, June 11.—At 9 o'clock tonight former Lieut. Gov. E. L. Daughtridge continued his valiant fight for life with odds greatly against him and, according to physicians, there is little hope of his rallying. Powerful stimulants have been necessarily been resorted to continuously in order to sustain life. The immediate family and relatives have been at the bedside since his condition was pronounced extreme. Attending physicians declared his system is gradually yielding to the complication of diseases which are sapping his vitality and have rendered him in ill health for the past 18 months and that the end may be expected at any hour.

WOULD BAR TOBACCO USERS FROM MEETING

Pittsburgh, June 11.—A resolution prohibiting delegates whose persons he use tobacco attending the 92nd annual synod of the Reformed Presbyterian Church of the North America in convention here, was defeated yesterday by a large vote.

SUBSTITUTE PEACE RESOLUTION GIVEN PRIORITY IN HOUSE

Porter Measure To End State of War Comes Up After a Bitter Battle

ITS PASSAGE ON MONDAY NOW APPEARS CERTAIN

Adoption of Rule Gives Porter Resolution Right of Way and Final Action Will Be Taken Monday at 4:30; Measure Is Substitute For The Knox Peace Resolution

Washington, June 11.—After a bitter partisan fight, the House took up today the Porter resolution terminating the state of war between the United States and the Central Powers and will pass it Monday as a substitute for the Knox resolution, repealing the declaration of war.

Passage of the resolution is certain any lingering doubt in the minds of Democratic leaders having been removed through adoption today, 208 to 105, of a rule giving the Porter proposal right of way in place of the Knox resolution already passed by the Senate. Two Republicans voted with the Democrats opposing its consideration, while three Democrats stood with Republicans in the fight to put it through.

Reports were current tonight that more than a score of Democrats would vote for the resolution on the final roll call at 4:30 o'clock Monday.

Democratic Attack. Democratic members, in beginning today their attack on the measure, first criticized what they characterized as the "stuttering" of the House by forcing acceptance of a resolution which they said had been framed in secret by Republican members and would not permit amendment. Then turning sharply upon the resolution itself, the Democrats declared it would meet the hearty approval of every German, every slacker and every American traitor.

Chairman Porter, of the foreign affairs committee, in charge of the measure, asserted the House was not ready to go as far as the Senate and repeal the war declaration, for that, he said, might be regarded as an actual repudiation of the war in which thousands of American lives had been sacrificed.

Statements of opponents of the resolution that by officially declaring the state of war at an end America was abandoning the Allies or its fighting associates were denied by Chairman Porter as a "gross misstatement of fact."

Porter Defends Measure. "All nations that signed the treaty of Versailles," Mr. Porter said, "did so with full knowledge that it was not effective, so far as the United States was concerned, until ratified by the Senate."

Mr. Porter insisted that since the Allies had made peace in 1919 if there had been any abandonment" it has been of the United States by the Allies.

"It may not be out of place to call attention to the fact," he said, "that when the peace resolution reached the House for the enforcement of the adjustment of the reparations and until Germany had conceded the demands of the Allies and had shown her good faith by payment of the money in the form of the first installment of the indemnity. We have given the Allies the traditional 'square deal' and now intend to put our own house in order."

STEAMSHIP IN FLAMES OFF FRYING PAN SHOALS

Jacksonville, Fla., June 11.—The coast guard cutter Seminole left Charleston, S. C., late today to go to the assistance of the American steamship Hico, reported burning off Frying Pan Shoals, according to advices received here by the Tampa-Latter Ocean Company, operators of the Hico.

The plight of the vessel was reported late today by the steamer Garibaldi, enroute to Jacksonville from a North Atlantic port, which in a radio stated that it was standing by the Hico and lending aid to the fire fighters by the use of apparatus aboard the Garibaldi. The Garibaldi picked up the first distress call from the Hico, whose position was about 240 miles north of Jacksonville, and being only a short distance away arrived at the scene quickly.

GOVERNOR WILL HEAR CITY OFFICIALS THURSDAY

Asheville, June 11.—Following a conference between Governor Clegg, Morrison and Mayor Gallatin Roberts, president of the North Carolina Municipal Association, announcement was made here today that the Governor will hear representatives of the Municipal Association in Raleigh Thursday upon the matter of whether a special session of the legislature should be called to rectify the 1922 Municipal Finance Act declared unconstitutional by ruling of the Supreme Court a few days ago.

MANSLAUGHTER CHARGE AGAINST MISS GILLETT

Chicopee, Mass., June 11.—Miss Lucy Gillett, of Westfield, sister of Speaker Gillett, of the House of Representatives, was arraigned in district court here today charged with manslaughter as the result of an accident yesterday in which the automobile she was driving struck and killed Irene Cota, aged 13, and injured Yvette Gauthier, aged 3. Miss Gillett entered a plea of not guilty and was released in bonds of \$5,000 for a hearing July 3.